

EXECUTIVE CHAMBERS

HONOLULU

July 8, 2008

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2675

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2675, entitled "A Bill for an Act Relating to Medical Marijuana."

The purpose of this bill is to create a "medical marijuana task force" within the University of Hawaii for administrative purposes. This task force is required to study whether current law affords an adequate supply of medical marijuana, whether it is feasible to establish marijuana growing facilities on each island, and whether inter-island marijuana transport can be made possible for traveling patients. The task force is also required to examine other issues and obstacles that patients encounter as well as research other states' medical marijuana programs and laws.

This bill is objectionable because it is an exercise aimed at finding ways to circumvent federal law. The use of marijuana, even medical marijuana, is illegal under federal law. It is, therefore, inappropriate for the State to recommend ways to maintain or increase the supply of marijuana, to make recommendations regarding the development of marijuana growing facilities, or to seek ways to circumvent federal prohibitions regarding the transport of marijuana.

Moreover, requiring the task force to be administratively attached to the University of Hawaii is inappropriate. Mandating the University's involvement when there is a clear conflict between State and federal law has the potential to adversely affect funding for a number of programs and research projects that rely on federal grants. Requiring the College of Tropical Agriculture and Human Resources to administer the work of the task force is also inappropriate as the legal, medical, public health, public safety, and transportation issues surrounding medical marijuana are far outside the college's purview.

Additionally, the composition of the task force itself is questionable because three of the eleven task force members are from a single private organization, the Drug Policy Forum of Hawaii. Seven of the eleven members are prescribers, patients, or members of the Drug Policy Forum, and are all likely to favor the expansion of medical marijuana access and programming.

While I am sympathetic towards those who suffer debilitating illnesses and appreciate organizations and advocates who are representing their interests, the task force should also have at heart the interests of the community at large. There are a host of unintended consequences related to the proliferation of medical marijuana that this task force is not required to address. Since I firmly believe that considerations must be made to ensure that Hawaii's communities remain safe and drug free, I must question whether this task force is capable of balancing the interests of both the community and medical marijuana patients.

Additionally, the federal Office of National Drug Policy notes that there are other prescription drugs approved by the Federal Drug Administration that are safe and medically deemed effective in helping those with AIDS, glaucoma, cancer, and other painful illnesses.

For the foregoing reasons, I am returning House Bill No. 2675 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Linda Lingle", written in a cursive style.

LINDA LINGLE
Governor of Hawaii